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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR16-335-RSL

10 Plaintiff,

11 v.

DETENTION ORDER

12 BALVINO MACIAS TERAN,

13 Defendant.

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15 Offenses charged:

16 Count 1: Conspiracy to Distribute Controlled Substances

17 Count 2: Distribution of Controlled Substances

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19 Date of Detention Hearing: January 6, 2017.

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 23 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
24 defendant is a flight risk and a danger to the community based on the nature of
25 the pending charges. Application of the presumption is appropriate in this case.
26 2. Defendant has no ties to the Western District of Washington.

3. Defendant is not a U.S. citizen, although he does have legal status.
4. Defendant has substantial and long-standing ties to Mexico.
5. Defendant was less than forthcoming about his travels to Mexico.
6. When defendant was arrested, two firearms in his house were discovered, even though there should have been none based on a domestic violence order.
7. The weight of evidence, although the least important factor, is strong, based on proffer by the government.
8. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 6th day of January, 2017.

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6 JAMES P. DONOHUE
7 Chief United States Magistrate Judge
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